

**OFFICIAL JOURNAL**  
**OF THE**  
**HOUSE OF**  
**REPRESENTATIVES**  
**OF THE**  
**STATE OF LOUISIANA**

**FOURTH DAY'S PROCEEDINGS**

**Thirty-third Extraordinary Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Wednesday, November 9, 2005

The House of Representatives was called to order at 5:00 P.M., by the Honorable Joe R. Salter, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Gray	Pitre
Badon	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Barrow	Guillory, M.	Quezaire
Baudoin	Hammett	Richmond
Baylor	Harris	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White

Durand  
Erdey  
Fannin  
Farrar  
Total - 104

McDonald  
McVea  
Montgomery  
Morrell

Winston  
Wooton  
Wright

ABSENT

Glover  
Total - 1

The Speaker announced that there were 104 members present and a quorum.

**Prayer**

Prayer was offered by Rep. Honey.

**Pledge of Allegiance**

Rep. Dorsey led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Rep. Badon, the reading of the Journal was dispensed with.

On motion of Rep. McDonald, the Journal of November 8, 2005, was adopted.

**Introduction of Resolutions,  
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

**HOUSE CONCURRENT RESOLUTION NO. 33—**

BY REPRESENTATIVE LAFONTA

**A CONCURRENT RESOLUTION**

To urge and request the Federal Emergency Management Agency, through the National Flood Insurance Program, to finalize updated floodplain maps for the city of New Orleans.

Read by title.

On motion of Rep. LaFonta, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

**Introduction of House Bills  
and Joint Resolutions**

The following named members introduced the following House Bills and Joint Resolutions, which were read the first time by their titles, and placed upon the calendar for their second reading:

**HOUSE BILL NO. 133—**

BY REPRESENTATIVE ROBIDEAUX

**AN ACT**

To amend and reenact R.S. 47:293(3), relative to income tax of estates and trusts, corporations, and individuals; to provide that the deduction from state income taxes for federal income tax shall not be reduced by the amount of certain casualty loss deductions; to provide for an effective date; and to provide for related matters.

Read by title.

**Suspension of the Rules**

On motion of Rep. Robideaux, the rules were suspended in order to refer the bill to committee at this time.

Under the rules, the bill was referred to the Committee on Ways and Means.

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### **HOUSE BILL NO. 134—**

BY REPRESENTATIVE HUNTER

#### **A JOINT RESOLUTION**

Proposing to add Article X, Section 31 of the Constitution of Louisiana, to provide that for purposes of qualifying for and holding office, a person shall not be considered to have vacated his domicile or residence if he was involuntarily displaced from his place of residence or domicile by the effects of a gubernatorially declared state of emergency; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

### **HOUSE BILL NO. 135—**

BY REPRESENTATIVE PINAC

#### **AN ACT**

To enact R.S. 6:121.6, relative to the powers of the commissioner of the Office of Financial Institutions; to authorize the commissioner to waive, suspend, or delay compliance of certain statutes relating to certain nondepository institutions regulated by the commissioner; to provide for an effective date; and to provide for related matters.

Read by title.

### **Suspension of the Rules**

On motion of Rep. Pinac, the rules were suspended in order to refer the bill to committee at this time.

Under the rules, the bill was referred to the Committee on Commerce.

### **HOUSE BILL NO. 136—**

BY REPRESENTATIVE LAFONTA

#### **AN ACT**

To enact R.S. 18:402(H), relative to parochial and municipal elections in a parish containing a municipality with a population of four hundred seventy-five thousand or more after a gubernatorial declaration of a state of disaster or emergency; to provide relative to application of the provision to parishes eligible for certain types of federal assistance; to provide for such elections to be held concurrently with congressional elections; to provide for further delay of such elections if more than twenty percent of the registered voters have not yet returned to their parish of residence; to provide procedures to provide for the holding of the election if it is not held concurrently with the congressional elections; and to provide for related matters.

Read by title.

### **Suspension of the Rules**

On motion of Rep. LaFonta, the rules were suspended in order to refer the bill to committee at this time.

Under the rules, the bill was referred to the Committee on House and Governmental Affairs.

### **HOUSE BILL NO. 137—**

BY REPRESENTATIVE ALARIO

#### **AN ACT**

To amend and reenact R.S. 49:213.7(A)(1) and (2)(introductory paragraph), (B)(1) and (2) (introductory paragraph), (C), (D), (E)(introductory paragraph), and (F), to enact R.S. 49:213.7(B)(3) and (E)(7), and to repeal Act 300 of the 2005 Regular Session, relative to the Wetlands Conservation and Restoration Fund; to change the name of the fund to the Coastal Protection and Restoration Fund; to provide relative to certain

federal revenues to be credited and deposited to the fund; to provide relative to certain fund uses; and to provide for related matters.

Read by title.

### **HOUSE BILL NO. 138—**

BY REPRESENTATIVE JEFFERSON

#### **AN ACT**

To enact R.S. 18:402(H), relative to the dates for the holding of parochial and municipal elections in a parish containing a municipality with a population of four hundred seventy-five thousand or more after a gubernatorial declaration of a state of disaster or emergency; to provide relative to application of the provision to parishes eligible for certain types of federal assistance; to provide for such elections to be held concurrently with congressional elections; and to provide for related matters.

Read by title.

### **Suspension of the Rules**

On motion of Rep. Jefferson, the rules were suspended in order to refer the bill to committee at this time.

Under the rules, the bill was referred to the Committee on House and Governmental Affairs.

### **HOUSE BILL NO. 139—**

BY REPRESENTATIVE ALARIO

#### **A JOINT RESOLUTION**

Proposing to amend Article VII, Sections 10(D)(2)(e), 10.2, and 10.5(B) and (C) of the Constitution of Louisiana, relative to the Wetlands Conservation and Restoration Fund; to change the name of the fund to the Coastal Protection and Restoration Fund; to provide relative to deposits and uses of the fund; to provide relative to certain federal revenues received by the state generated from Outer Continental Shelf oil and gas activity; to provide for the depositing and crediting of such monies into the fund, and for the uses of such federal revenues; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

### **Suspension of the Rules**

On motion of Rep. Alario, the rules were suspended in order to refer the bill to committee at this time.

Under the rules, the bill was referred to the Committee on Appropriations.

### **HOUSE BILL NO. 140—**

BY REPRESENTATIVES ALARIO AND SALTER

#### **AN ACT**

To enact R.S. 39:94(C)(4), relative to the Budget Stabilization Fund; to provide for the balance in the Budget Stabilization Fund; to define total state revenue receipts for purposes of determining the balance in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

### **Suspension of the Rules**

On motion of Rep. Alario, the rules were suspended in order to refer the bill to committee at this time.

Under the rules, the bill was referred to the Committee on Appropriations.

**House and House Concurrent Resolutions**

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 32—**  
BY REPRESENTATIVE GRAY**A CONCURRENT RESOLUTION**

To suspend until sixty days after final adjournment of the 2006 Regular Session of the Legislature of Louisiana the provisions of R.S. 18:193(A), (D), and (E), which provide certain procedures for the challenge and cancellation of voter registration.

Read by title.

**Motion**

On motion of Rep. Dorsey, the resolution was returned to the calendar.

**Senate Concurrent Resolutions**

The following Senate Concurrent Resolutions were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 8—**  
BY SENATOR ADLEY**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to extend Louisiana's seaward boundary in the Gulf of Mexico to twelve geographical miles.

Read by title.

Under the rules, the above resolution was referred to the Committee on Natural Resources.

**House Bills and Joint Resolutions on  
Second Reading to be Referred**

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

**HOUSE BILL NO. 125—**  
BY REPRESENTATIVE TOOMY**AN ACT**

To enact R.S. 13:790.1 through 790.4, relative to the creation of certain judicial administrative districts; to provide for purposes of the districts; to provide for authority of the districts; to provide for a special fund; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Dorsey, the bill was returned to the calendar.

**HOUSE BILL NO. 126—**  
BY REPRESENTATIVE K. CARTER**AN ACT**

To enact Subpart D of Part XXX of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1449 through 1449.6, relative to property insurance; to provide for the Reliable Homeowner's Insurance Act; to provide for orderly markets; to provide for offering homeowner's insurance; to provide for cancellation of policies; to provide for nonrenewal of policies; to provide for limitations; to provide for penalties; to provide for termination; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Dorsey, the bill was returned to the calendar.

**HOUSE BILL NO. 128—**

BY REPRESENTATIVE K. CARTER  
**AN ACT**

To enact R.S. 22:1430.6(E) and (F), relative to the Louisiana Citizens Property Insurance Corporation; to provide for powers and duties; to provide for flood insurance; to provide for explanation of coverage limits; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Dorsey, the bill was returned to the calendar.

**HOUSE BILL NO. 130—**

BY REPRESENTATIVES GREENE, ALEXANDER, BEARD, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, AND WINSTON AND SENATORS BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN

**AN ACT**

To enact R.S. 42:1114.3, relative to the receipt of any thing of economic value from certain contracts and subcontracts; to require elected and appointed officials to disclose information regarding certain contracts and subcontracts; to provide for the content of such disclosure; to provide for certain prohibitions; to provide for penalties; and to provide for related matters.

Read by title.

**Motion**

Rep. Dorsey moved the bill be returned to the calendar.

As a substitute motion, Rep. Greene moved that the bill be referred to the Committee on House and Governmental Affairs.

Rep. Hebert objected.

Rep. Greene withdrew his substitute motion.

The House agreed to return the bill to the calendar.

**House Bills and Joint Resolutions on  
Second Reading Reported by Committee**

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

**HOUSE BILL NO. 132 (Substitute for House Bill No. 12 by  
Representatives Quezaire and Salter)—**

BY REPRESENTATIVES QUEZAIRE, SALTER, AND LAMBERT  
**AN ACT**

To enact R.S. 48:250.4, relative to contracts let by the Department of Transportation and Development; to authorize the Department of Transportation and Development to utilize the design-build method to construct transportation projects under certain circumstances; and to provide for related matters.

Read by title.

On motion of Rep. Quezaire, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

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### House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

#### Regular Calendar

##### HOUSE BILL NO. 3—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact Section 10 of Act 169 of the 2005 Regular Session of the Legislature of Louisiana, relative to the recordation of documents in the mortgage and conveyance records and the consolidation of the laws affecting the recordation of documents; to change the effective date of the Act; and to provide for related matters.

Read by title.

Rep. Toomy moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Gray	Pitre
Badon	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Barrow	Guillory, M.	Quezaire
Baudoin	Hammitt	Richmond
Baylor	Harris	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	Wright
Total - 102		

##### NAYS

Total - 0

##### ABSENT

Curtis	Glover	Odinot
Total - 3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Toomy moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

#### Suspension of the Rules

On motion of Rep. Harris, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

##### HOUSE BILL NO. 15—

BY REPRESENTATIVES CAZAYOUX, QUEZAIRE, AND SALTER

AN ACT

To enact R.S. 48:442.1, relative to the expropriation of property for design-build projects by the Department of Transportation and Development; to provide relative to the content of the petition to expropriate such property; to provide relative to information which must be annexed to such petition; and to provide for related matters.

Read by title.

Rep. Cazayoux sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cazayoux to Engrossed House Bill No. 15 by Representative Cazayoux

##### AMENDMENT NO. 1

On page 1, line 13, after "R.S. 48:250.2" insert "and 250.4"

Rep. Cazayoux moved the adoption of the amendments.

Rep. Hebert objected.

By a vote of 56 yeas and 40 nays, the amendments were adopted.

#### Motion

On motion of Rep. Cazayoux, the vote by which the floor amendments to House Bill No. 15 were adopted was reconsidered.

Rep. Cazayoux sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cazayoux to Engrossed House Bill No. 15 by Representative Cazayoux

##### AMENDMENT NO. 1

On page 1, line 13, after "R.S. 48:250.2" insert "and 250.4"

On motion of Rep. Cazayoux, the amendments were withdrawn.

Rep. Cazayoux moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

## YEAS

Mr. Speaker	Frith	Odinet
Alario	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Gray	Pitre
Badon	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Beard	Harris	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hill	Romero
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, G.
Burrell	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrell	
Faucheux	Morrish	
Total - 97		

## NAYS

Alexander	Hebert	Schneider
Total - 3		

## ABSENT

Barrow	Glover	Scalise
Carter, K.	Jefferson	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Cazayoux moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 24—**

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, DORSEY, PINAC, ARNOLD, BALDONE, BRUNEAU, DARTEZ, FARRAR, FAUCHEUX, HEATON, HILL, KENNEY, MONTGOMERY, ODINET, ROBIDEAUX, SCALISE, SCHNEIDER, JANE SMITH, TOWNSEND, AND WHITE

## AN ACT

To amend and reenact R.S. 47:287.85(C)(2) and 293(3), relative to income tax of estates and trusts, corporations, and individuals; to provide that the deduction from state income taxes for federal income tax shall not be reduced by the amount of certain federal disaster relief tax credits; to provide for an effective date; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Hammett, the bill was returned to the calendar.

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Hammett gave notice of his intention to call House Bill No. 24 from the calendar for future action.

**HOUSE BILL NO. 28—**

BY REPRESENTATIVES MARTINY, ALEXANDER, BEARD, BRUNEAU, BURNS, R. CARTER, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, AND WINSTON AND SENATORS BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN

## AN ACT

To amend and reenact R.S. 29:735(A), relative to immunity of personnel during a declaration of emergency or disaster; to provide for limitation of liability for law enforcement agencies and officers based on detention of persons in any parish prison or local jail under certain circumstances; to provide for retroactive application; and to provide for related matters.

Read by title.

Rep. Martiny sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Martiny to Engrossed House Bill No. 28 by Representative Martiny

**AMENDMENT NO. 1**

On page 1, line 2, after "of " delete the remainder of the line and add "law enforcement agencies during Hurricane Katrina or Rita;"

**AMENDMENT NO. 2**

On page 1, line 3, delete "declaration of emergency or disaster;"

**AMENDMENT NO. 3**

On page 1, line 5, after the semicolon ";" and before "to" insert "to provide for liability of law enforcement agencies under certain circumstances;"

**AMENDMENT NO. 4**

On page 2, delete lines 1 through 10, and insert the following:

"(2) Additionally, no prisoner in the custody of the sheriff or law enforcement agency who was evacuated to another prison or jail during and immediately after Hurricane Katrina or Rita, and who was not released within the time required by the Code of Criminal Procedure or Title 15 of the Louisiana Revised Statutes of 1950, shall have a cause of action for damages against the sheriff or law enforcement agency for the failure to timely release the prisoner, if the failure was due to the effects of Hurricane Katrina or Rita and the lack of access to prison records and information specifying when the prisoner is to be released; however, the sheriff or law enforcement agency shall be liable for damages if within a reasonable length of time following Hurricane Katrina or Rita, the sheriff or law enforcement agency makes no attempt to ascertain when the prisoner is to be released and fails to release the prisoner from custody."

On motion of Rep. Martiny, the amendments were adopted.

Rep. Martiny moved the final passage of the bill, as amended.

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### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Farrar	Pierre
Alario	Faucheux	Pinac
Alexander	Frith	Pitre
Ansardi	Gallot	Powell, M.
Arnold	Geymann	Powell, T.
Badon	Greene	Quezaire
Baldone	Guillory, M.	Ritchie
Barrow	Hammett	Robideaux
Baudoin	Harris	Romero
Baylor	Heaton	Scalise
Beard	Hebert	Schneider
Bowler	Hill	Smiley
Bruce	Honey	Smith, G.
Bruneau	Hopkins	Smith, J.D.—50th
Burns	Hutter	Smith, J.H.—8th
Burrell	Jackson	Smith, J.R.—30th
Carter, R.	Jefferson	St. Germain
Cazayoux	Johns	Strain
Crane	Katz	Thompson
Cravins	Kennard	Toomy
Crowe	Kleckley	Townsend
Curtis	LaBruzzo	Trahan
Damico	LaFleur	Triche
Daniel	LaFonta	Tucker
Dartez	Lambert	Waddell
DeWitt	Lancaster	Walker
Doerge	Marchand	Walsworth
Dorsey	Martiny	White
Dove	McDonald	Winston
Downs	McVea	Wooton
Durand	Montgomery	Wright
Erdey	Morrish	
Fannin	Odinet	
Total - 97		

#### NAYS

Carter, K.	Hunter
Guillory, E.	Kenney
Total - 4	

#### ABSENT

Glover	Morrell
Gray	Richmond
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### Suspension of the Rules

On motion of Rep. Hunter, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

### Motion

On motion of Rep. Cazayoux, the motion to reconsider the vote by which House Bill No. 15 finally passed was called from the table.

### Suspension of the Rules

On motion of Rep. Cazayoux, the rules were suspended to reconsider the vote by which House Bill No. 15 finally passed on the same legislative day.

### Reconsideration

The following legislative instruments on reconsideration were taken up and acted upon as follows:

#### HOUSE BILL NO. 15—

BY REPRESENTATIVES CAZAYOUX, QUEZAIRE, AND SALTER  
AN ACT

To enact R.S. 48:442.1, relative to the expropriation of property for design-build projects by the Department of Transportation and Development; to provide relative to the content of the petition to expropriate such property; to provide relative to information which must be annexed to such petition; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Cazayoux, the vote by which the above bill was finally passed was reconsidered.

### Suspension of the Rules

Rep. Cazayoux moved to suspend the rules to consider House Bill No. 15 on third reading.

Rep. Hebert objected.

By a vote of 71 yeas and 22 nays, the rules were suspended.

#### HOUSE BILL NO. 15—

BY REPRESENTATIVES CAZAYOUX, QUEZAIRE, AND SALTER  
AN ACT

To enact R.S. 48:442.1, relative to the expropriation of property for design-build projects by the Department of Transportation and Development; to provide relative to the content of the petition to expropriate such property; to provide relative to information which must be annexed to such petition; and to provide for related matters.

Read by title.

Rep. Cazayoux moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Fannin	Morrish
Alario	Faucheux	Odinet
Ansardi	Frith	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Greene	Powell, M.
Barrow	Hammett	Powell, T.
Baudoin	Harris	Quezaire
Baylor	Heaton	Ritchie
Beard	Hill	Robideaux
Bowler	Honey	Smiley
Bruce	Hopkins	Smith, J.D.—50th
Bruneau	Hunter	Smith, J.H.—8th
Burns	Hutter	Smith, J.R.—30th
Burrell	Jackson	St. Germain
Carter, R.	Jefferson	Strain
Cazayoux	Johns	Thompson
Crane	Katz	Townsend
Cravins	Kennard	Trahan
Curtis	Kenney	Triche

Damico	Kleckley	Tucker
Daniel	LaBruzzo	Waddell
Dartez	LaFleur	Walker
Doerge	Lambert	Walsworth
Dorsey	Lancaster	White
Dove	Martiny	Winston
Downs	McDonald	Wooton
Durand	McVea	Wright
Erdey	Montgomery	
Total - 86		

NAYS

Alexander	Guillory, E.	Romero
Carter, K.	Hebert	Schneider
Crowe	LaFonta	Smith, G.
Farrar	Marchand	Toomy
Gray	Richmond	
Total - 14		

ABSENT

DeWitt	Guillory, M.	Scalise
Glover	Morrell	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

**HOUSE BILL NO. 39—**

BY REPRESENTATIVES HAMMETT, PINAC, ARNOLD, BALDONE, DARTEZ, FARRAR, FAUCHEUX, HEATON, HILL, KENNEY, LAMBERT, MONTGOMERY, SCALISE, JANE SMITH, AND TOWNSEND

AN ACT

To enact R.S. 47:305.54, relative to the state sales and use tax; to provide that the state sales or use tax shall not apply to manufacturing machinery and equipment purchased, leased, or rented or repaired by manufacturers for use in the replacement of hurricane-damaged equipment; to provide for the applicability of certain definitions; to provide for an effective date and expiration date for the Act; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Hammett, the bill was returned to the calendar.

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Hammett gave notice of his intention to call House Bill No. 39 from the calendar for future action.

**HOUSE BILL NO. 40—**

BY REPRESENTATIVES HAMMETT, MONTGOMERY, PINAC, ARNOLD, CURTIS, DARTEZ, FAUCHEUX, HILL, KENNEY, AND JANE SMITH

AN ACT

To amend and reenact R.S. 47:331(P)(2), relative to the state sales and use tax; to provide a reduction in the rate of the sales tax for sales of natural gas and electricity; to provide for an effective date; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Hammett, the bill was returned to the calendar.

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Hammett gave notice of his intention to call House Bill No. 40 from the calendar for future action.

**HOUSE BILL NO. 41—**

BY REPRESENTATIVES HAMMETT, PINAC, ARNOLD, BALDONE, DARTEZ, FARRAR, FAUCHEUX, HEATON, HILL, MONTGOMERY, ODINET, SCALISE, JANE SMITH, TOWNSEND, AND TUCKER

AN ACT

To amend and reenact R.S. 47:609(A), relative to the corporation franchise tax; to provide for the computation of borrowed capital which includes extraordinary debt incurred by corporations directly affected by Hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Hammett, the bill was returned to the calendar.

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Hammett gave notice of his intention to call House Bill No. 41 from the calendar for future action.

**HOUSE BILL NO. 88—**

BY REPRESENTATIVES GALLOT AND ANSARDI AND SENATOR LENTINI

AN ACT

To enact R.S. 9:2554, relative to the removal and preservation of property by the lessor in certain emergency periods; to provide for the right of the lessor to enter leased property to make necessary repairs; to provide for the removal and disposal of property; to provide for the duty of the lessor to preserve unsalvageable property; to provide for the payment of storage costs and the lessor's privilege; to provide for the taking of an inventory of the property; to provide for a presumption of intent to abandon the leased premises; to provide for notice to the lessee; to provide for definitions; to provide for applicability; to provide for retroactive effect; to provide for termination of provisions; and to provide for related matters.

Read by title.

Rep. Gallot sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Gallot to Engrossed House Bill No. 88 by Representative Gallot

**AMENDMENT NO. 1**

On page 4, between lines 24 and 25, insert the following:

"L. The provisions of this Section shall not apply to the lease or furnishing of sleeping rooms, cottages, or cabins by hotels or motels."

On motion of Rep. Gallot, the amendments were adopted.

Rep. Gallot moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrish
Alario	Faucheux	Odinet

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Alexander	Frith	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Barrow	Hammett	Quezaire
Baudoin	Harris	Richmond
Baylor	Heaton	Ritchie
Beard	Hebert	Robideaux
Bowler	Hill	Romero
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Burns	Hunter	Smiley
Burrell	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Total - 99		

### NAYS

Carter, K.	Gray
Total - 2	

### ABSENT

Glover	McVea
Guillory, M.	Tucker
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Gallot moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### Suspension of the Rules

On motion of Rep. Frith, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

**HOUSE BILL NO. 90—**  
BY REPRESENTATIVES ANSARDI AND GALLOT AND SENATOR LENTINI

### AN ACT

To enact Chapter 1 of Code Title III of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2551 through 2565, relative to the effect of obligations during certain emergencies and disasters; to provide relative to suspension of prescription and peremptive periods; to provide for the ratification of Executive Orders KBB 2005-32, 48, and 67; to provide for the effect of suspension; to provide for termination; to provide for retroactive application; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Ansardi, the bill was returned to the calendar.

### Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Ansardi gave notice of his intention to call House Bill No. 90 from the calendar for future action.

### HOUSE BILL NO. 92—

BY REPRESENTATIVE GREENE

### AN ACT

To enact R.S. 9:304, relative to legal deadlines affected by Executive Order KBB 2005-32, as amended; to provide for the effect of such legal deadlines on judgments of divorce; to provide for the effect of certain waiting and abandonment periods; to provide for the effect of judgments of divorce; and to provide for related matters.

Read by title.

Rep. Greene moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

### YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Gray	Pitre
Badon	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Beard	Harris	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hopkins	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	Wright
Total - 102		

### NAYS

Total - 0

### ABSENT

Barrow	Glover	Morrell
Total - 3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.



Rep. Greene moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

# **HOUSE BILL NO. 104—**

BY REPRESENTATIVES GREENE, ANSARDI, AND GALLOT AND SENATOR LENTINI

## **AN ACT**

To amend and reenact R.S. 9:315(C)(3)(a) and 315.1(B) and to enact R.S. 9:315(C)(3)(d)(v), 315.11(C), and 315.21(F), relative to child support; to provide for the definition of gross income; to provide for a deviation from the guidelines; to provide for voluntary unemployment or underemployment; to provide for retroactivity; to provide for a contingent effective date for R.S. 9:315.21(F); and to provide for related matters.

Read by title.

Rep. Greene moved the final passage of the bill.

## **ROLL CALL**

The roll was called with the following result:

### **YEAS**

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinot
Ansardi	Geymann	Pierre
Arnold	Gray	Pinac
Badon	Greene	Pitre
Baldone	Guillory, E.	Powell, M.
Baudoin	Guillory, M.	Powell, T.
Baylor	Hammett	Quezaire
Beard	Harris	Richmond
Bowler	Heaton	Ritchie
Bruce	Hebert	Robideaux
Bruneau	Hill	Romero
Burns	Honey	Scalise
Burrell	Hopkins	Schneider
Carter, K.	Hunter	Smiley
Carter, R.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.—50th
Crane	Jefferson	Smith, J.H.—8th
Cravins	Johns	Smith, J.R.—30th
Crowe	Katz	St. Germain
Curtis	Kennard	Strain
Damico	Kenney	Thompson
Daniel	Kleckley	Toomy
Dartez	LaBruzzo	Townsend
DeWitt	LaFleur	Trahan
Doerge	LaFonta	Triche
Dorsey	Lambert	Tucker
Dove	Lancaster	Waddell
Downs	Marchand	Walker
Durand	Martiny	Walsworth
Erdey	McDonald	White
Fannin	McVea	Winston
Farrar	Montgomery	Wooton

Total - 102

### **NAYS**

Total - 0

### **ABSENT**

Barrow	Glover	Wright
--------	--------	--------

Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Greene moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

## **Petitions, Memorials and Communications**

The following petitions, memorials, and communications were received and read:

## **Message from the Senate**

### **HOUSE CONCURRENT RESOLUTIONS**

November 9, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 30  
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

## **Message from the Senate**

### **ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS**

November 9, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 11 and 14

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

## **Message from the Senate**

### **SENATE BILLS**

November 9, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 10 and 68

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### **Suspension of the Rules**

On motion of Rep. Hunter, the rules were suspended in order to take up the bills contained in the message at this time.

### **Senate Bills and Joint Resolutions on First Reading**

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

#### **SENATE BILL NO. 10—**

BY SENATORS NEVERS AND MURRAY  
AN ACT

To enact R.S. 23:1474(J), relative to unemployment compensation; to provide with respect to the maximum amount of wages on which contribution rates are assessed; to suspend the application of reductions in weekly benefit amounts payable to claimants; to provide for the state unemployment trust fund; and to provide for related matters.

Read by title.

#### **SENATE BILL NO. 68—**

BY SENATORS CHAISSON AND AMEDEE  
AN ACT

To enact R.S. 29:732.1, relative to the crime of conducting business without required licenses and permits; to provide for exceptions; to provide for penalties; and to provide for related matters.

Read by title.

### **Introduction of House Bills and Joint Resolutions**

The following named members introduced the following entitled House Bills and Joint Resolutions which were read the first time by their titles and placed upon the calendar for their second reading and, under a suspension of the rules, were referred to committee as follows:

#### **HOUSE BILL NO. 141—**

BY REPRESENTATIVE ALARIO  
AN ACT

To amend and reenact R.S. 49:213.1 through 213.8, 214.3(1), 214.11, 214.12(A)(1), and 214.13, relative to coastal protection, conservation, restoration, and management; to authorize and provide for the development and implementation of a comprehensive coastal protection plan; to provide powers, duties, terms, procedures, definitions, conditions, and requirements; to provide relative to hurricane protection and coastal restoration; to provide relative to enforcement; to provide relative to certain authorities, commissions, and departments; to change the name of the Wetlands Conservation and Restoration Authority to the Coastal Protection and Restoration Authority and to set forth its powers, duties, and members; to change the name of the Governor's Advisory Commission on Coastal Restoration and Conservation and to the Governor's Advisory Commission on Coastal Protection, Restoration, and Conservation and to set forth its powers, duties, and members; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources.

#### **HOUSE BILL NO. 142—**

BY REPRESENTATIVE SALTER  
AN ACT

To enact R.S. 17:3048.6, relative to continuing eligibility requirements for Tuition Opportunity Program for Students' awards applicable to students displaced as a consequence of certain natural disasters; to provide legislative findings; to provide definitions; to provide waivers and exceptions to certain

program requirements and conditions; to provide applicability; to provide limitations; to provide relative to the authority of the Louisiana Student Financial Assistance Commission, including but not limited to requiring the adoption of certain rules relative to program waivers and exceptions; to provide legislative oversight; to provide for implementation; to provide an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

#### **HOUSE BILL NO. 143—**

BY REPRESENTATIVE SALTER  
AN ACT

To enact R.S. 17:3048.6, relative to initial eligibility requirements for Tuition Opportunity Program for Students awards applicable to students displaced as a consequence of certain natural disasters; to provide legislative findings; to provide definitions; to provide waivers and exceptions to certain program requirements and conditions; to provide applicability; to provide limitations; to provide relative to the authority of the Louisiana Student Financial Assistance Commission, including but not limited to requiring the adoption of certain rules relative to program waivers and exceptions; to provide for legislative oversight; to provide for implementation; to provide an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

#### **HOUSE BILL NO. 144—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To enact R.S. 17:3048.1(C)(5), relative to initial eligibility residency requirements for Tuition Opportunity Program for Students awards applicable to students displaced during the 2005-2006 school year as a consequence of certain natural disasters; to provide criteria for residency determinations; to provide relative to applicability; to provide limitations; to require the adoption of certain rules by the Louisiana Student Financial Assistance Commission; to provide an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

#### **HOUSE BILL NO. 145—**

BY REPRESENTATIVES ALARIO AND SALTER  
AN ACT

To enact R.S. 39:94(C)(4), relative to the Budget Stabilization Fund; to provide for appropriations from the fund following certain declarations of disaster or emergency; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

#### **HOUSE BILL NO. 146—**

BY REPRESENTATIVES ALARIO AND SALTER  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 10.3(C)(3) of the Constitution of Louisiana, relative to the Budget Stabilization Fund; to provide for appropriations from the fund following certain declarations of disaster or emergency; to provide for an effective date; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

**HOUSE BILL NO. 147—**

BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 17:10.5, relative to the Recovery School District; to provide for the transfer of certain public schools to the Recovery School District; to provide for effectiveness; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on  
Administration of Criminal Justice**

November 9, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Concurrent Resolution No. 25, by Dorsey  
Reported with amendments. (12-0)

House Bill No. 26, by Cravins, Jr.  
Reported favorably. (12-0) (Regular)

House Bill No. 56, by Pinac  
Reported with amendments. (11-0) (Regular)

House Bill No. 73, by Martiny  
Reported with amendments. (9-6) (Regular)

House Bill No. 78, by Martiny  
Reported favorably. (12-0) (Regular)

DANIEL MARTINY  
Chairman

**Report of the Committee on Appropriations**

November 9, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Appropriations to submit the following report:

House Bill No. 67, by Alario  
Reported with amendments. (14-0) (Regular)

House Bill No. 68, by Alario  
Reported favorably. (14-0) (Regular)

House Bill No. 84, by Alario  
Reported favorably. (14-0) (Regular)

House Bill No. 94, by Alario  
Reported favorably. (12-0) (Regular)

House Bill No. 95, by Alario  
Reported favorably. (14-0) (Regular)

House Bill No. 96, by Alario  
Reported favorably. (14-0) (Regular)

JOHN ALARIO  
Chairman

**Report of the Committee on Education**

November 9, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Education to submit the following report:

House Concurrent Resolution No. 13, by Jefferson  
Reported favorably. (15-0)

House Bill No. 19, by Crane  
Reported favorably. (12-0) (Regular)

House Bill No. 20, by Crane  
Reported favorably. (12-0) (Regular)

House Bill No. 21, by Crane  
Reported favorably. (13-0) (Regular)

House Bill No. 22, by Crane  
Reported favorably. (13-0) (Regular)

House Bill No. 33, by Crane  
Reported favorably. (14-0) (Regular)

House Bill No. 93, by Scalise  
Reported with amendments. (8-7) (Regular)

House Bill No. 121, by Crane  
Reported with amendments. (15-0) (Regular)

CARL CRANE  
Chairman

**Report of the Committee on Natural Resources**

November 9, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Natural Resources to submit the following report:

House Bill No. 8, by Odinet  
Reported with amendments. (14-0-1) (Regular)

WILFRED PIERRE  
Chairman

**Report of the Committee on Ways and Means**

November 9, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 34, by Alario (Joint Resolution)  
Reported with amendments. (14-0)

House Bill No. 35, by Arnold  
Reported with amendments. (14-0) (Regular)

House Bill No. 44, by Hammett  
Reported with amendments. (14-0) (Regular)

House Bill No. 46, by Hammett  
Reported with amendments. (14-0) (Regular)

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House Bill No. 64, by Hammett  
Reported by substitute. (14-0) (Regular)

House Bill No. 65, by Hammett  
Reported with amendments. (14-0) (Regular)

House Bill No. 81, by Arnold  
Reported favorably. (14-0) (Regular)

BRYANT O. HAMMETT, JR.  
Chairman

### Suspension of the Rules

On motion of Rep. Pierre, the rules were suspended in order to take up House Bills contained in the committee reports at this time.

### House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

#### HOUSE BILL NO. 8— BY REPRESENTATIVE ODINET AND SENATOR N. GAUTREAUX AN ACT

To provide for an extended period of time for renewal or extension of oyster leases expiring on January 1, 2006; to provide relative to terms of lease renewals or extensions; to provide for the 2006 due date for annual rent for oyster leases; and to provide for the 2006 dates for determination and advertisement of defaulted oyster leases; to suspend Section 501(G)(3) of Chapter 5 of Part VII of Title 76 of the Louisiana Administrative Code relative to public auction of leases in default; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 8 by Representative Odinet

#### AMENDMENT NO. 1

On page 2, line 15, change "May" to "July"

On motion of Rep. Pierre, the amendments were adopted.

On motion of Rep. Pierre, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 19— BY REPRESENTATIVE CRANE AN ACT

To amend and reenact R.S. 17:24.10(C)(4), relative to LA 4 class ratio requirements; to provide for the applicability of provisions relative to the requirements for student to lead teacher and student to adult staff member ratios for LA 4 classes; to provide for the State Board of Elementary and Secondary Education to adopt rules relative to the ratios required for LA 4 classes; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

On motion of Rep. Crane, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 20— BY REPRESENTATIVE CRANE AN ACT

To amend and reenact R.S. 17:88(A) and (C) and to enact R.S. 17:88(F), relative to the required dates for adoption and submission of school board budgets; to provide for the applicability of provisions relative to the required dates for school boards to adopt budgets and submit such budgets to the state superintendent of education; to provide for the State Board of Elementary and Secondary Education to adopt rules relative to the adoption and submission of such budgets; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

On motion of Rep. Crane, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 21— BY REPRESENTATIVE CRANE AN ACT

To amend and reenact R.S. 17:236, relative to the requirement for a minimum school session; to provide for the applicability of the requirement for a minimum school session of not less than one hundred eighty days for school classification purposes; to provide for the State Board of Elementary and Secondary Education to adopt rules relative to the minimum school session; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

On motion of Rep. Crane, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 22— BY REPRESENTATIVE CRANE AN ACT

To amend and reenact R.S. 17:2112(A)(1) and to enact R.S. 17:2112(C), relative to the required time lines for conducting sight and hearing tests for certain pupils; to provide for the applicability of the requirement for testing the sight and hearing of pupils within thirty days after the admission of any pupils entering school late in the session; to provide for the State Board of Elementary and Secondary Education to adopt rules relative to such requirement; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

On motion of Rep. Crane, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 26— BY REPRESENTATIVES CRAVINS, BRUCE, AND JANE SMITH AND SENATOR N. GAUTREAUX AN ACT

To amend and reenact R.S. 15:542(C)(2)(a) and (b) and (F)(1), relative to penalties for failure to register as a sex offender; to

provide that penalties for failure to register as a sex offender shall apply to sex offenders who fail to notify appropriate law enforcement officials when they are temporarily displaced from their residence due to an evacuation order or declaration of an emergency; to amend the criminal penalties for a first conviction of failure to register as a sex offender; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Martiny, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 33—**

BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 17:154.3 and to enact R.S. 17:154.1(A)(5), relative to minimum requirements for instructional time; to provide for applicability of such requirements including the required number of certain work days per school year under specified circumstances; to provide for certification by the state superintendent of education relative to the applicability of the minimum requirements for instructional time for certain public schools and school systems; to provide for rules and regulations adopted by the State Board of Elementary and Secondary Education relative to all such applicability; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

On motion of Rep. Crane, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 34—**

BY REPRESENTATIVES ALARIO, HAMMETT, AND ODINET

A JOINT RESOLUTION

Proposing to add Article VII, Sections 18(G)(5) and 20(A)(10) of the Constitution of Louisiana, relative to the homestead exemption and special assessment level where the homestead has been destroyed or is uninhabitable due to a disaster or emergency; to provide for claiming and keeping the homestead exemption and special assessment levels; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 34 by Representative Alario

AMENDMENT NO. 1

On page 2, at the end of line 21, delete "future"

On motion of Rep. Hammett, the amendments were adopted.

On motion of Rep. Hammett, the bill, as amended, was ordered engrossed and, under a suspension of the rules, passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 35—**

BY REPRESENTATIVE ARNOLD AND SENATOR MURRAY

AN ACT

To amend and reenact R.S. 47:1987(A), relative to assessment procedure; to provide for a change of the time and date when the assessor of Orleans Parish has to complete the work on preparing and making up the assessment lists; to provide for additional time to reassess and prepare the tax rolls for 2005 in Orleans Parish; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 35 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 5, change "2005" to "2006"

AMENDMENT NO. 2

On page 1, line 15, change "2005" to "2006"

AMENDMENT NO. 3

On page 1, line 18, change "the year 2005" to "the year 2006"

On motion of Rep. Hammett, the amendments were adopted.

On motion of Rep. Hammett, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 44—**

BY REPRESENTATIVES HAMMETT AND PINAC

AN ACT

To amend and reenact R.S. 47:2106, relative to the deferment of ad valorem tax payments where property subject to ad valorem taxation has been damaged or destroyed during a gubernatorially declared disaster or emergency; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 44 by Representative Hammett

AMENDMENT NO. 1

On page 2, line 18, after "later than" and before "days" change "sixty" to "thirty"

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On motion of Rep. Hammett, the amendments were adopted.

On motion of Rep. Hammett, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 46—** BY REPRESENTATIVES HAMMETT AND PINAC AN ACT

To enact R.S. 47:1703(E), relative to the homestead exemption; to provide for an extension of the homestead exemption when property is damaged or destroyed during a disaster or emergency declared by the governor; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 46 by Representative Hammett

#### AMENDMENT NO. 1

On page 1, line 13, after the word "homestead" and before "shall be" insert "on or before December thirty-first of a calendar year due to such damage or destruction"

On motion of Rep. Hammett, the amendments were adopted.

On motion of Rep. Hammett, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 56—** BY REPRESENTATIVES PINAC, MARTINY, JOHNS, AND HEATON AN ACT

To enact R.S. 27:354.1, relative to slot machine gaming at live horse racing facilities; to provide relative to the required number of live racing days; to provide for the authority of the Louisiana State Racing Commission to approve additional races or race days and locations, transfer proceeds and purse supplements, all as made necessary by damage to existing facilities due to a disaster, emergency, or force majeure, or other such occurrence; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 56 by Representative Pinac

#### AMENDMENT NO. 1

On page 2, line 12, after "meet" and before "and" insert a comma " , " and add "subsequent to November 10, 2005."

#### AMENDMENT NO. 2

On page 2, between lines 20 and 21 insert the following:

"Section 2. The provisions of this Act shall have retroactive application to August 29, 2005.

Section 3. If any provision of this Act or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provisions or applications, and to this end the provisions of this Act are hereby declared severable."

#### AMENDMENT NO. 3

On page 2, line 21, change "Section 2." to "Section 4."

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 64—** BY REPRESENTATIVES HAMMETT AND PINAC AN ACT

To amend and reenact R.S. 47:1978, 1993(D), and 2101(A)(1), relative to the listing and assessing of property damaged by public calamity or disaster; to provide for filing dates of tax rolls for certain parishes; to provide for deadlines for payment of ad valorem taxes for certain parishes; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Ways and Means.

The substitute was read by title as follows:

### **HOUSE BILL NO. 148 (Substitute for House Bill No. 64 by Representative Hammett)—** BY REPRESENTATIVE ARNOLD AN ACT

To amend and reenact R.S. 47:1993(D), and 2101(A)(1), and to enact R.S. 47:1978.1, relative to the assessment of land and property damaged or destroyed during a disaster or emergency declared by the governor; to provide for assessment procedures; to provide for filing dates of tax rolls for certain tax years; to provide for deadlines for payment of ad valorem taxes for certain tax years; and to provide for related matters.

Read by title.

On motion of Rep. Hammett, the substitute was adopted and became House Bill No. 148 by Rep. Arnold, on behalf of the Committee on Ways and Means, as a substitute for House Bill No. 64 by Rep. Hammett.

Under the rules, lies over in the same order of business.

### **HOUSE BILL NO. 65—** BY REPRESENTATIVES HAMMETT AND PINAC AN ACT

To amend and reenact R.S. 47:1992(F)(1) and (G), 2101(A)(2) and (3), 2171(A)(introductory paragraph), 2180(A)(1)(a), and 2180.1(A) and to enact R.S. 47:1997(C), relative to assessment of immovable and movable property for tax year 2006 and for tax year 2005 in Orleans Parish; to change time periods for public inspection of assessment rolls; to change assessment deadlines; to change ad valorem tax collection procedures and deadline; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 65 by Representative Hammett

**AMENDMENT NO. 1**

On page 1, at the beginning of line 5, change "2006" to "2005", and after "year" and before "in" change "2005" to "2006"

On motion of Rep. Hammett, the amendments were adopted.

On motion of Rep. Hammett, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 67—**

BY REPRESENTATIVE ALARIO

**AN ACT**

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2005-2006 Fiscal Year; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 67 by Representative Alario

**AMENDMENT NO. 1**

On page 1, line 7, change "Ten Million" to "One Million" and change "\$10,000,000.00" to "\$1,000,000.00"

**AMENDMENT NO. 2**

On page 1, line 9, after "to provide for" delete the remainder of the line and insert the following:

"the expenses of planning and preparation for future disasters. The Department of Military Affairs shall submit a report on the use of the funds to the Joint Legislative Committee on the Budget on or before January 31, 2006."

On motion of Rep. Alario, the amendments were adopted.

On motion of Rep. Alario, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 68—**

BY REPRESENTATIVE ALARIO

**AN ACT**

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 for deposit into certain special treasury funds; to provide for the deposit of certain nonrecurring revenues into the State Disaster or Emergency Relief Fund.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. Alario, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 73—**

BY REPRESENTATIVES MARTINY, LAFLEUR, TOWNSEND, CAZAYOUX, CRAVINS, GALLOT, AND HEATON AND SENATOR CHAISSON

**AN ACT**

To enact Title XXXIII of the Louisiana Code of Criminal Procedure, to be comprised of Louisiana Code of Criminal Procedure Articles 941 through 956, relative to criminal procedure; to provide for emergency sessions of criminal court; to provide for definitions; to provide for applicability; to provide for criminal jurisdiction and venue in emergency sessions of court; to provide for venue for habeas corpus proceedings in certain circumstances; to provide for criteria for emergency sessions of court; to provide for the power and authority of the court conducting emergency sessions; to provide for legislative findings; to provide for powers, duties, and authority of the sheriff operating in emergency sessions of court; to provide for the powers, duties, and authority of the clerk of court of an affected court conducting emergency sessions; to provide for the authority of the indigent defender board of the affected court conducting emergency sessions of court; to provide with respect to the summoning of a criminal jury pool; to provide for the suspension of certain time periods, limitations, and delays in the affected court; to provide for exceptions; to provide for appeals and the application of supervisory writs from a judgment or ruling of an affected court conducting emergency sessions of court; to provide for preemption of conflicting provisions of law; to provide for the court costs, fees, and fines assessed or taxed and collected by the affected court conducting emergency sessions of court; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 73 by Representative Martiny

**AMENDMENT NO. 1**

On page 3, at the end of line 1, after "municipal," and before "juvenile" insert "traffic."

**AMENDMENT NO. 2**

On page 3, at the end of line 28, after "judge" and before "of" insert a comma "," and insert "the district attorney, the chief indigent defender, and the clerk"

**AMENDMENT NO. 3**

On page 5, at the end of line 7, after the period "." add "The supreme court shall give notice at least ten days prior to the conclusion of the emergency sessions to the chief judge, the district attorney, the chief indigent defender, and the clerk of the affected court."

**AMENDMENT NO. 4**

On page 4, line 23, after "proceedings," and before "hearings," insert "grand jury proceedings."

**AMENDMENT NO. 5**

On page 7, line 2, after "Title," delete the remainder of the line

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### AMENDMENT NO. 6

On page 7, at the beginning of line 3, delete "the state and the defendant."

### AMENDMENT NO. 7

On page 7, line 24, after "230.1" and before "230.2" delete "and" and insert a comma ","

### AMENDMENT NO. 8

On page 7, at the end of line 24, delete the period "." and insert a comma "," and insert "351, 354, and 362."

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 78—**

BY REPRESENTATIVES MARTINY, PINAC, JOHNS, AND HEATON  
AN ACT

To amend and reenact R.S. 27:353(4) and 354, relative to slot machine gaming at live horse racing facilities; to amend the definition of an eligible facility to provide that the Louisiana State Racing Commission can approve less than eighty days within a twenty-week period in certain emergencies or disasters or other such occurrences; to provide for the effect of this determination; to provide relative to the powers and authority of the Louisiana State Racing Commission; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Martiny, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 81—**

BY REPRESENTATIVES ARNOLD, BALDONE, HEATON, ODINET, TOWNSEND, AND TUCKER  
AN ACT

To enact R.S. 39:1034.1, relative to the Board of Liquidation, City Debt, for the city of New Orleans; to prohibit increases in millage rates for the year 2006, under certain circumstances and the collection of taxes based upon such millage rates; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Hammett, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 84—**

BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER  
AN ACT

To suspend and otherwise make of no effect certain provisions of law relating to the comprehensive annual financial report and the narrative report of the state for the fiscal year ending June 30, 2005, and to provide for an extension of certain deadlines for completion and distribution; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. Alario, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 93—**

BY REPRESENTATIVES SCALISE, ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, T. POWELL, M. POWELL, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, AND WINSTON AND SENATORS BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN  
AN ACT

To amend and reenact R.S. 17:10.5(A)(1), (B), (C)(1)(a) and (2)(a)(iii) and (b)(i), and (D); to provide for the transfer of certain public elementary and secondary schools to the jurisdiction of the Recovery School District; to provide guidelines and conditions for such transfers; to provide definitions; to provide relative to the reorganization and operation of such transferred schools; to provide exceptions; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Original House Bill No. 93 by Representative Scalise

#### AMENDMENT NO. 1

On page 1, at the end of line 2, delete the semicolon ";" and insert "and to enact R.S. 17:3973(2)(b)(v)(cc);"

#### AMENDMENT NO. 2

On page 1, line 6, after "exceptions;" and before "to" insert "to provide relative to the membership of governing or management boards of certain Recovery School District charter schools; to provide limitations;"

#### AMENDMENT NO. 3

On page 1, line 10, after "reenacted" and before "to" insert "and R.S. 17:3973(2)(b)(v)(cc) is hereby enacted"

#### AMENDMENT NO. 4

On page 2, line 22, after "year" and before "more" delete "or thereafter"

#### AMENDMENT NO. 5

On page 4, between lines 19 and 20, insert the following:

"§3973. Definitions

\* \* \*

(2)

\* \* \*

(b) Charter schools shall be one of the following types:

\* \* \*

(v)

\* \* \*

(cc) No member of the State Board of Elementary and Secondary Education shall be a member of the governing or



management body of any Type 5 charter school. No member of any city, parish, or other local public school board shall be a member of the governing or management board of any Type 5 charter school within the jurisdictional area of such city, parish, or other local public school board.

\* \* \*

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 94—**

BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER  
AN ACT

To suspend and otherwise to make of no effect, for purposes of Fiscal Year 2006-2007, certain provisions of law relating to the submission of budget requests by state agencies and submission of the executive budget and supporting document by the governor to the legislature and to provide for an extension of certain deadlines for submission; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. Alario, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 95—**

BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER  
AN ACT

To suspend and otherwise to make of no effect, for purposes of Fiscal Year 2004-2005, the preparation of an annual report by an undersecretary with respect to activities of his office as provided in R.S. 36:8(B); and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. Alario, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 96—**

BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER  
AN ACT

To suspend and otherwise make of no effect, for purposes of Fiscal Year 2006-2007, the preparation of the continuation budget by the division of administration budget office as required by R.S. 39:29(A)(2); and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. Alario, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 121—**

BY REPRESENTATIVE CRANE AND SENATOR DUPLESSIS  
AN ACT

To amend and reenact R.S. 17:1990(A), (B)(1), (2)(a), and (4), (C)(1)(a), (2)(a), and (3), 3973(2)(b)(v)(aa), 3982(A)(1), and 3983(A)(2)(a) and to enact R.S. 17:10.7, 1990(F)(3), and 3983(A)(1)(g), relative to the Recovery School District; to provide for the transfer of certain schools to the recovery district;

to provide for the operation and management of such schools; to require the development and approval of a plan for the operation of all schools transferred and to specify the contents of such plan; to provide for the duration and continuation of the transfer; to require the state superintendent of education to make certain reports relative to the recovery district; to subject the administration of the recovery district to the approval of the State Board of Elementary and Secondary Education; to authorize the recovery district to manage and retain certain funding, including the authorization for retaining fund balances; to specify that the expenditure of certain funds by the recovery district is subject to the requirements of the approved Minimum Foundation Program formula; to provide with regard to the authority of the recovery district to contract with for-profit providers; to provide for the exercise of limited rights of ownership over property of transferred schools by the recovery district; to provide for the transfer of certain funding to the recovery district; to provide for the process for the transfer of such funds and for a limitation on the transfer of such funds; to provide for the expenditure of certain retained funds by certain city, parish, or other local public school systems; to provide for the eligibility of a student to attend a school operated under the jurisdiction of the recovery district; to provide for the obligations of the recovery district in providing services to students; to expand the definition of a Type 5 charter school to include charters involving certain schools transferred to the recovery district; to prohibit certain local school boards from considering or acting on Type 1 charter school applications under certain circumstances; to authorize the state Department of Education to enter into a charter to operate a charter school under certain circumstances; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Original House Bill No. 121 by Representative Crane

##### AMENDMENT NO. 1

On page 1, line 4, after "1990(F)(3)," and before "and" insert "3973(2)(b)(v)(cc),"

##### AMENDMENT NO. 2

On page 1, line 8, after "require the" delete "state" and at the beginning of line 9, delete "superintendent of education" and insert "recovery district"

##### AMENDMENT NO. 3

On page 2, line 6, after "district;" and before "to" insert "to prohibit members of certain school boards from also being members of the governing or management boards of certain Type 5 charter schools;"

##### AMENDMENT NO. 4

On page 2, line 14, after "1990(F)(3)," and before "and" insert "3973(2)(b)(v)(cc),"

##### AMENDMENT NO. 5

On page 2, line 25, after "that" and before "has" insert a comma "," and "not later than August 31, 2005."

##### AMENDMENT NO. 6

On page 2, line 29, after "R.S. 17:1990." delete the remainder of the line and insert "The Recovery"

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### AMENDMENT NO. 7

On page 3, line 22, after "Section," and before "shall" change "the administering agency" to "the recovery district"

### AMENDMENT NO. 8

On page 4, line 10, after "The" and before "shall" change "state superintendent of education" to "recovery district"

### AMENDMENT NO. 9

On page 4, line 19, after "the" and before "shall" change "state superintendent of education" to "recovery district"

### AMENDMENT NO. 10

On page 5, line 5, after "of the" and before "Any" change "superintendent." to "recovery district."

### AMENDMENT NO. 11

On page 11, between lines 11 and 12, insert the following:

"(cc) No member of the State Board of Elementary and Secondary Education shall be a member of the governing or management board of any Type 5 charter school. No member of any city, parish, or other local public school board shall be a member of the governing or management board of any Type 5 charter school within the jurisdictional area of such city, parish, or other local public school board.

\* \* \*

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

### Message from the Senate

#### SIGNED SENATE CONCURRENT RESOLUTIONS

November 9, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 2

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

### Privileged Report of the Committee on Enrollment

November 9, 2005

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

### HOUSE RESOLUTION NO. 4—

BY REPRESENTATIVE GREENE

#### A RESOLUTION

To commend Nicole Hanney upon being named a National Merit Semifinalist.

### HOUSE RESOLUTION NO. 5—

BY REPRESENTATIVE GREENE

#### A RESOLUTION

To commend Amanda Arikol upon being named a National Merit Semifinalist.

### HOUSE RESOLUTION NO. 6—

BY REPRESENTATIVE GREENE

#### A RESOLUTION

To commend Kristen Landry upon being named a National Merit Semifinalist.

### HOUSE RESOLUTION NO. 7—

BY REPRESENTATIVES MONTGOMERY, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT

#### A RESOLUTION

To commend Captain Dirk Thibodeaux for his outstanding military service upon his return to House Legislative Services.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

### Suspension of the Rules

On motion of Rep. Crane, the rules were suspended to permit the Committee on Education to meet and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill Nos. 142, 143, and 144

### Leave of Absence

Rep. Glover - 1 day

### Adjournment

On motion of Rep. Kenney, at 6:55 P.M., the House agreed to adjourn until Thursday, November 10, 2005, at 5:00 P.M.

The Speaker of the House declared the House adjourned until 5:00 P.M., Thursday, November 10, 2005.

ALFRED W. SPEER  
Clerk of the House